

### **REMARKS**

Favorable reconsideration of this application is respectfully requested in light of the following remarks. Currently, Claims 10-22 are pending in the application.

As an initial matter, the Examiner has failed to indicate that Claims 21 and 22 are allowed. As provided in the previous amendment, independent Claim 21 was added to the application which includes the recitations of base Claim 10 and allowable Claim 18. Claim 22 recites the subject matter of Claim 19, and is dependent upon independent Claim 21. Accordingly, it is submitted that Claims 21 and 22 are allowable over the art of record. Applicants respectfully request indication of allowance with respect to Claims 21 and 22.

Claims 10, 12, 13, 16, 17 and 20 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 4,887,945 to *Pano* ('945). Claims 11 and 14 stand rejected under 35 USC §103(a) as being unpatentable over *Pano*. Claim 15 stands rejected under 35 USC §103(a) as being unpatentable *Pano* ('945) in view of U.S. Patent No. 5,112,164 to *Pano* ('164).

As provided in the previous response, Independent Claim 10 was amended to include the feature that the clamping screw is oriented perpendicularly to the nut roll. In this Office Action, the Examiner has failed to indicate how the *Pano* ('945) reference can be read to encompass this feature. On page 2 of the Office Action, the Examiner concedes that only "some of the claimed elements" are disclosed by the *Pano* ('945) reference, and fails to offer an explanation as to how *Pano* ('945) can be read to include the feature of the clamping screw being oriented perpendicularly to the nut roll.

In contrast, *Pano* ('945) describes a tool holder which includes an insert receiving pocket formed by a pair of clamping jaws. With reference to Figure 1, an open ended insert receiving pocket 6 is defined between upper and lower substantially parallel clamping

surfaces 7 and 8 in a curved rear end surface 9. An elongated slot 12 opens into the longitudinal edge 2 of the holder blade 1, and is formed at its inner end with a circular, widened portion 14 and a circular widened portion 15. As shown in Figures 7 and 8, a tightening screw 25 is inserted into the widened portion 15 of the elongated slot 12 into a clamping element 21 which acts to clamp the insert 27. The clamping element 21 and the tightening screw 25 are oriented parallel to one another.

In contrast, the tool head, as defined in independent Claim 10, includes a clamping screw which is oriented perpendicularly to the nut roll. This allows the clamping screw to secure the insert more easily than the clamping screw and tool head of *Pano* ('945). For example, in *Pano* ('945), the clamping screw is inserted from a side location, thereby forcing the user to come to a side location to ensure that clamping is accomplished. In contrast, the clamping screw of the present invention is oriented in such a manner that a user can readily clamp the insert from a top location, without requiring the user to come to a side location. As such, the clamping screw allows the insert to be clamped at a more accessible location. *Pano* ('945) does not disclose or recognize these patentable features. Accordingly, independent Claim 10 is patentable over the *Pano* ('945) reference.

Likewise, independent Claim 20 is directed to a metal machining tool which includes a tool head. Similar to the claim of independent Claim 10, Claim 20 recites that the clamping screw is oriented perpendicularly to the nut roll. Accordingly, for the same reasons described in connection with independent Claim 10, Claim 20 is also believed to be allowable over the art of record.

For at least the foregoing reasons, it is submitted that the tool head and metal machining tool of independent Claims 10 and 20, and the claims depending therefrom, are

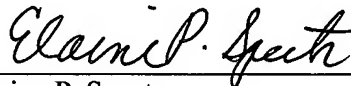
patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that she be contacted at the telephone number indicated below.

Respectfully Submitted,  
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